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**From:** Fulton, Jennifer [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7F227D2750F046B8A66C54211EC31421-FULTON, JENNIFER]  
**Sent:** 9/27/2021 2:25:30 PM  
**To:** Moncavage, Carissa [Moncavage.Carissa@epa.gov]; Martinsen, Jessica [Martinsen.Jessica@epa.gov]  
**Subject:** RE: Plant Retirement Notification Deadline Question

Yes – glad we (you two) were right!

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**From:** Moncavage, Carissa <Moncavage.Carissa@epa.gov>  
**Sent:** Monday, September 27, 2021 10:15 AM  
**To:** Martinsen, Jessica <Martinsen.Jessica@epa.gov>; Fulton, Jennifer <Fulton.Jennifer@epa.gov>  
**Subject:** FW: Plant Retirement Notification Deadline Question

Better late than never?

**Carissa Moncavage**  
NPDES Permits Section  
Clean Water Branch  
U.S. EPA Region 3, Water Division  
(215) 814-5798  
(pronouns: she/her - *why it's important*)

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**From:** Benware, Richard <Benware.Richard@epa.gov>  
**Sent:** Monday, September 27, 2021 8:42 AM  
**To:** Moncavage, Carissa <Moncavage.Carissa@epa.gov>  
**Subject:** RE: Plant Retirement Notification Deadline Question

That is correct.

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**From:** Moncavage, Carissa <Moncavage.Carissa@epa.gov>  
**Sent:** Tuesday, September 21, 2021 5:51 PM  
**To:** Benware, Richard <Benware.Richard@epa.gov>  
**Subject:** FW: Plant Retirement Notification Deadline Question

Hi Richard,

I have a question related to the NOPP deadlines in the 2020 Steam Electric Rule. I am still becoming familiar with this rule so I wanted to check with you before I give an answer West Virginia because I don't want to steer them in the wrong direction. If you are not the appropriate person, please let me know who I can pose my question to.

It's my understanding that facilities need to file a NOPP by October 13, 2021 if they intend to participate in one of the three subcategories. There is no flexibility in this October 13, 2021 deadline, however, once the facility files a NOPP there is flexibility under 423.13(o) that allows facility to transfer to another category should the conditions at the facility change after they have filed their timely NOPP.

Is my understanding of this correct? I appreciate any insight you can provide.

Thanks,  
Carissa

**Carissa Moncavage**  
NPDES Permits Section  
Clean Water Branch  
U.S. EPA Region 3, Water Division  
(215) 814-5798  
(pronouns: she/her - *why it's important*)

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**From:** Fulton, Jennifer <[Fulton.Jennifer@epa.gov](mailto:Fulton.Jennifer@epa.gov)>  
**Sent:** Tuesday, September 21, 2021 12:16 PM  
**To:** Martinsen, Jessica <[Martinsen.Jessica@epa.gov](mailto:Martinsen.Jessica@epa.gov)>; Moncavage, Carissa <[Moncavage.Carissa@epa.gov](mailto:Moncavage.Carissa@epa.gov)>  
**Subject:** FW: Plant Retirement Notification Deadline Question

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**From:** Emery, Kathryn D <[katheryn.d.emery@wv.gov](mailto:katheryn.d.emery@wv.gov)>  
**Sent:** Tuesday, September 21, 2021 11:00 AM  
**To:** Fulton, Jennifer <[Fulton.Jennifer@epa.gov](mailto:Fulton.Jennifer@epa.gov)>  
**Subject:** Fwd: Plant Retirement Notification Deadline Question

----- Forwarded message -----  
**From:** **Emery, Kathryn D** <[katheryn.d.emery@wv.gov](mailto:katheryn.d.emery@wv.gov)>  
**Date:** Mon, Sep 20, 2021 at 9:43 PM  
**Subject:** Fwd: Plant Retirement Notification Deadline Question  
**To:** Mandirola, Scott G <[scott.g.mandirola@wv.gov](mailto:scott.g.mandirola@wv.gov)>

FYI

----- Forwarded message -----  
**From:** **Patel, Yogesh P** <[yogesh.p.patel@wv.gov](mailto:yogesh.p.patel@wv.gov)>  
**Date:** Thu, Sep 16, 2021 at 10:08 AM  
**Subject:** Re: Plant Retirement Notification Deadline Question  
**To:** Emery, Kathryn D <[katheryn.d.emery@wv.gov](mailto:katheryn.d.emery@wv.gov)>  
**Cc:** Fletcher, Terry A <[terry.a.fletcher@wv.gov](mailto:terry.a.fletcher@wv.gov)>

Terry,

We have worked on 3 power plant permits from Appalachian Power Company.

John Amos Plant  
Mitchell Power Plant  
Mountaineer Plant

I believe Mitchell Power plant is a Wheeling Power and another two plants fall under Appalachian Power Company.

Working on those three power plants applications, they have not notified anything yet to the Agency regarding their permanent cessation of coal combustion unit. There is a deadline to notify by October 13, 2021.

I hope this helps.

Thank you,  
Yogi

On Thu, Sep 16, 2021 at 9:08 AM Emery, Kathryn D <[katheryn.d.emery@wv.gov](mailto:katheryn.d.emery@wv.gov)> wrote:

Yogesh,

Can you answer this question?

Kathy

----- Forwarded message -----

From: **Fletcher, Terry A** <[terry.a.fletcher@wv.gov](mailto:terry.a.fletcher@wv.gov)>  
Date: Thu, Sep 16, 2021 at 9:00 AM  
Subject: Fwd: Plant Retirement Notification Deadline Question  
To: Kathryn D Emery <[katheryn.d.emery@wv.gov](mailto:katheryn.d.emery@wv.gov)>

Hi Kathy,

Is this something your shop can provide?

Thanks,

Terry

----- Forwarded message -----

From: **Mike Tony** <[mtony@hdmediallc.com](mailto:mtony@hdmediallc.com)>  
Date: Thu, Sep 16, 2021 at 6:00 AM  
Subject: Plant Retirement Notification Deadline Question  
To: Fletcher, Terry A <[Terry.A.Fletcher@wv.gov](mailto:Terry.A.Fletcher@wv.gov)>

Hi Terry,

I'm working on a story on Appalachian Power and Wheeling Power's reopened case seeking to make federally required upgrades at three in-state coal-fired power plants and was referred by USEPA to WVDEP to answer a question I had about the EPA's Oct. 13 deadline for the companies to notify the WVDEP whether they intend to make effluent limitation guideline (ELG) modifications at its units or retire the units by the end of 2028.

The EPA has told me that a facility that has properly incorporated transfer provisions under Section 423.13(o) may be able to transfer out of the permanent cessation of coal combustion subcategory at a later date pursuant to those provisions. The EPA advised me to reach out to WVDEP to say whether Appalachian Power and Wheeling Power properly incorporated transfer provisions under Section 423.13(o) and are thus able to transfer out of the permanent cessation of coal combustion subcategory after Oct. 13, so I was hoping you could provide an answer on that.

My deadline is Monday at 2 p.m. Please let me know if you need me to clarify anything, and thanks very much as always.

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*Promoting a healthy environment*

**Terry Fletcher**

Acting Communications Director

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